

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

The Sustainability Institute, *et al.*,

Plaintiffs,

v.

Donald J. Trump, in his official capacity as
President of the United States, *et al.*

Defendants,

C.A. No. 2:25-2152-RMG

DECLARATION OF THE CHIEF OF STAFF
OFFICE OF THE SECRETARY OF AGRICULTURE
KAILEE BULLER

I, Kailee Buller, declare under penalty of perjury the following:

1. My name is Kailee Buller. I make this declaration based upon the knowledge that I have acquired through the performance of my official duties.

2. I am the Chief of Staff of the Secretary of the U.S. Department of Agriculture, within USDA's Office of the Secretary, and I am stationed in Washington, D.C. As the Chief of Staff, my duties include, among other things: supporting the Secretary by managing her schedule and daily tasks; coordinating between departments and agencies to ensure effective communication and collaboration; facilitating decision-making processes by providing analysis and recommendations; supervising staff and ensuring smooth operation of the Secretary's office;

monitoring and reporting on progress toward departmental goals and objectives; representing the Secretary at meetings, events, and other functions as needed; conducting research and preparing reports on relevant issues and topics; serving as a liaison between the Secretary and stakeholders, including elected officials, community leaders, and the media; managing special projects and initiatives as assigned.

3. In the exercise of my official duties, I have been made aware of this lawsuit.

4. I submit this declaration in response to the Court's April 29, 2025, Order directing Defendants to supplement their privilege logs and documents to be submitted to the Court under seal and *ex parte* for *in camera* review.

5. I am authorized to invoke the deliberative process privilege on behalf of USDA in connection with the emails and draft memorandums found at USDA000001 to USDA000101 produced in this lawsuit.

6. In my official capacity as Chief of Staff of the Secretary of Agriculture, I have personally reviewed the complete, un-redacted documents, which the Agency filed (Dkt. No. 77) with the USDA's response to the Court's Order dated April 29, 2025 (Dkt. No. 146). Based on my review of the relevant documents, I have determined that the following documents submitted with and discussed within this Declaration were created as part of USDA's decision-making process and reflect the deliberative process undertaken by USDA in developing and implementing USDA policies on grant awards, as well as other policy deliberations, that occurred from February 17, 2025 to February 28, 2025.

7. The documents found at USDA000001 to USDA000101 consist entirely of emails and draft memorandums as email attachments. To assist the Court in assessing the deliberative nature of the discussions these emails contain, I identify and describe them by category, with each

category identified by the applicable file name and subject of the emails. None of these documents reference the Plaintiffs. Instead, they reflect high-level interagency and interagency discussions between the USDA Office of the Secretary, the USDA Office of the General Counsel, and the Department of Governmental Efficiency on terminating grants. I understand that privileges other than the deliberative process privilege protect these documents from disclosure, including the attorney-client privilege and the attorney work product doctrine. These privileges, and their applicability to the documents described below, are beyond the scope of my declaration, which I provide solely to discuss the predecisional and deliberative nature of the discussions those documents contain.

8. **Category 1 of documents with the file name “Re: Connecting.”** Provided at USDA000001-USDA000002; USDA000006-USDA000007; and USDA000050-USDA000051. The discussions, recommendations, and opinions contained on these pages were generated before and in contemplation of the final decision by the Office of the Secretary to direct the agencies to terminate grants in accordance with departmental guidance. These discussions, recommendations, and opinions were prepared as part of a deliberative dialogue between the agency’s Acting General Counsel and DOGE’s attorneys regarding cost cutting and other initiatives at USDA, the appeals process and statutory required processes available to grantees challenging USDA’s termination of grants, the process for terminating grants, and complying with current temporary restraining orders issued in litigation.

9. Based on my review of the documents, I have determined that the disclosure of the discussions, recommendations, and opinions contained on these pages would inhibit the agency’s decision-making process by exposing the candid thoughts and opinions of agency employees regarding their subjective views about the meaning of facts and the legal theories possibly

applicable to this case. As such, in addition to other applicable privileges, I invoke the deliberative process privilege over these records.

10. **Category 2 of documents with the file name “Re: Agency Priority Memo on Climate Grants.”** Provided at USDA000003-USDA000005; USDA000014-USDA000016; USDA000028-USDA000030; USDA000043-USDA000045; USDA000062-USDA000066; USDA000081-USDA000083; and USDA 000095-000097. The discussions, recommendations, and opinions contained on these pages were generated before and in contemplation of the final decision by the Office of the Secretary to direct the agencies to terminate grants in accordance with departmental guidance. These discussions, recommendations, and opinions were prepared as part of a deliberative dialogue between the agency’s Acting General Counsel, USDA DOGE Team employees within the Office of Secretary, and DOGE’s attorneys regarding draft bases for termination, a draft Secretary’s memorandum, and draft termination directives.

11. Based on my review of the documents, I have determined that the disclosure of the discussions, recommendations, and opinions contained on these pages would inhibit the agency’s decision-making process by exposing the candid thoughts and opinions of agency employees regarding their subjective views about the meaning of facts and the legal theories possibly applicable to this case. As such, in addition to other applicable privileges, I invoke the deliberative process privilege over these records.

12. **Category 3 of documents with the file name “Re: Grants cancellations in process.”** Provided at USDA000011-USDA000013; USDA000038-USDA000040; USDA000052-USDA000053; USDA000067-USDA000068; USDA000070-USDA000074; USDA000077-USDA000078; and USDA000088-USDA000094. USDA000040 is a blank page and USDA000068 contains language from an email disclaimer. The discussions,

recommendations, and opinions contained on these pages were generated before and in contemplation of the final decision by the Office of the Secretary to direct the agencies to terminate grants in accordance with departmental guidance. These discussions, recommendations, and opinions were prepared as part of a deliberative dialogue between the agency's Acting General Counsel, USDA DOGE Team employees within the Office of Secretary, the Office of the Secretary, the Office of the Chief Financial Officer, and DOGE's attorneys regarding draft termination letters, draft Secretary's memorandum, potential appeals issues, and federal register notice requirements.

13. Based on my review of the documents, I have determined that the disclosure of the discussions, recommendations, and opinions contained on these pages would inhibit the agency's decision-making process by exposing the candid thoughts and opinions of agency employees regarding their subjective views about the meaning of facts and the legal theories possibly applicable to this case. As such, I invoke the deliberative process privilege over these records.

14. **Category 4 of documents with the file name "Re: Grant Cancellation."** Provided at USDA000021-USDA000027; USDA000054-USDA000056; and USDA000058-USDA000059. USDA000059 contains language from an email disclaimer. The discussions, recommendations, and opinions contained on these pages were generated before and in contemplation of the final decision by the Office of the Secretary to direct the agencies to terminate grants in accordance with departmental guidance. These discussions, recommendations, and opinions were prepared as part of a deliberative dialogue between the agency's Acting General Counsel and DOGE's attorney regarding the agency's draft termination letter, draft Secretary's memorandum, and input on policy and legal justifications.

15. Based on my review of the documents, I have determined that the disclosure of the discussions, recommendations, and opinions contained on these pages would inhibit the agency's decision-making process by exposing the candid thoughts and opinions of agency employees regarding their subjective views about the meaning of facts and the legal theories possibly applicable to this case. As such, I invoke the deliberative process privilege over these records.

16. **Category 5 of documents with the file name "FW: Privileged and Deliberative – Draft Termination Documents."** Provided at USDA000031-USDA000037. The discussions, recommendations, and opinions contained on these pages were generated before and in contemplation of the final decision by the Office of the Secretary to direct the agencies to terminate grants in accordance with departmental guidance. These discussions, recommendations, and opinions were prepared as part of a deliberative dialogue between the agency's Office of General Counsel, USDA DOGE Team employees within the Office of Secretary, the Office of the Secretary, and DOGE's attorneys regarding draft termination letter, appeal language, the need for *Federal Register* documents, and draft Secretary's memorandum.

17. Based on my review of the documents, I have determined that the disclosure of the discussions, recommendations, and opinions contained on these pages would inhibit the agency's decision-making process by exposing the candid thoughts and opinions of agency employees regarding their subjective views about the meaning of facts and the legal theories possibly applicable to this case. As such, in addition to other applicable privileges, I invoke the deliberative process privilege over these records.

18. **Category 6 of documents with the file name "Grant Termination."** Provided at USDA000048-USDA000049; USDA000057; USDA000060-USDA000061; and USDA 000075-USDA000076. The discussions, recommendations, and opinions contained on these pages were

generated before and in contemplation of the final decision by the Office of the Secretary to direct the agencies to terminate grants in accordance with departmental guidance. These discussions, recommendations, and opinions were prepared as part of a deliberative dialogue between the agency's Office of General Counsel and DOGE's attorneys regarding the statutory appeals process associate with grant terminations.

19. Based on my review of the documents, I have determined that the disclosure of the discussions, recommendations, and opinions contained on these pages would inhibit the agency's decision-making process by exposing the candid thoughts and opinions of agency employees regarding their subjective views about the meaning of facts and the legal theories possibly applicable to this case. As such, in addition to other applicable privileges, I invoke the deliberative process privilege over these records.

20. **Category 8 of documents concerning drafts of Secretary's Memorandums.**

(a) *Secretary's Memorandum Prioritizing the Nation's Interests and Eliminating Waste, Fraud, and Abuse in Department Expenditures*. Provided at USDA 000008-USDA000010. This is a predecisional and deliberative draft memorandum shared between USDA OGC Attorney and DOGE attorney in emails discussing the draft memorandum and terminating grants, and it is marked "DRAFT Privileged & Confidential / Pre-Decisional / Attorney Work Product."

(b) *Secretary's Memorandum, Directive on Conservation and Natural Resources Priorities*. The final version of this document is available to the public. See SM 1078-003, Directive on Conservation and Natural Resources Priorities, March 13, 2025 (available at <https://www.usda.gov/directives/sm-1078-003>); see also Exhibit A (attached). The draft versions of this memorandum are referenced in emails between USDA's Acting General Counsel and

DOGE Attorneys were provided at USDA000017-USDA000020; USDA000046-USDA000047; USDA000084-USDA000087; and USDA000098-USDA000101.

21. These drafts associated with the discussions, recommendations, and opinions contained on these pages were generated in mid to late February 2025, before and in contemplation of the final Secretary's Memorandum, *Directive on Conservation and Natural Resources Priorities*, issued on March 13, 2025. These discussions, recommendations, and opinions associated with these drafts were prepared as part of a deliberative dialogue between the agency's Office of General Counsel and DOGE's attorneys regarding the content of the Secretary's memorandum.

22. Based on my review of the documents, I have determined that the disclosure of these drafts associated with the discussions, recommendations, and opinions contained on these pages would inhibit the agency's decision-making process by exposing the candid thoughts and opinions of agency employees regarding their subjective views about the meaning of facts and the legal theories possibly applicable to this case. As such, in addition to other applicable privileges, I invoke the deliberative process privilege over these records.

23. I make the statements herein on the basis of my own personal knowledge, my review of the agency records subject to the discovery requests at issue in this case, and my discussions with my USDA colleagues who are likewise familiar with the lawsuit and agency records at issue in this case.

Executed on the 6th day of May 2025.


Kailee Buller
Chief of Staff
USDA Office of the Secretary

The Sustainability Institute, et al. v. Trump, et al. CIVIL NO. 2:25-cv-2152 PRIVILEGE LOG - PROTECTED AS RESTRICTED (As of May 6, 2025)						
BEGINNING BATES NUMBER	ENDING BATES NUMBER	FILE NAME	Names of Parties	DESCRIPTION	Date(s)	PRIVILEGE REASON
USDA 000001	USDA 000002	Re: Connecting	Ralph Linden, Esq.; James Burnham, Esq.; Joshua Fox; Austin Raynor, Esq.	Predecisional and deliberative email discussions between USDA OGC attorney and DOGE Attorney for the purposes of preparing legal advice to the Agency on the process for terminating grants and appeals process, all in the context of reasonably anticipating litigation over the grant terminations.	2/18/2025; 2/17/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000003	USDA 000005	Re: Agency Priority Memo on Climate Grants	James Burnham, Esq.; Ralph Linden, Esq.; Brian Mizoguchi, Esq.; Gavin Kliger; Michael Cole	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and/or DOGE Attorney for the purposes of providing legal advice to the agency on draft grant termination directives, all in the context of reasonably anticipating litigation over the grant terminations.	2/27/2025; 2/21/2025; 2/20/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000006	USDA 000007	Re: Connecting	Ralph Linden, Esq.; James Burnham, Esq.; Joshua Fox; Austin Raynor, Esq.	Predecisional and deliberative email discussions between USDA OGC attorneys and DOGE Attorneys for the purposes of preparing legal advice on directives for terminating grants and the appeals process, marked "Privileged & Confidential / Pre-Decisional / Attorney Work Product," all in the context of reasonably anticipating litigation over the grant terminations.	2/18/2025; 2/17/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000008	USDA 000010	Secretary's Memorandum Prioritizing the Nation's Interests and Eliminating Waste, Fraud, and Abuse in Department Expenditures	No name on the document, but it is referenced by Ralph Linden, Esq. and Jame Burnham, Esq. in email exchanges.	Predecisional and deliberative draft memorandum shared between USDA OGC Attorney and DOGE attorney for purposes of providing legal advice to the Agency on the draft memorandum and terminating grants. Marked "DRAFT Privileged & Confidential / Pre-Decisional / Attorney Work Product" and prepared in the context of reasonably anticipating litigation over the grant terminations.	2/XX/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000011	USDA 000013	Re: Grants cancellations in process	Michael Cole; James Burnham, Esq.; Ralph Linden, Esq.; Lynn Moaney; Kailee Buller	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and DOGE Attorney for the purposes of providing legal advice on the process of terminating grants, appeals process, and statutory requirements. Prepared in the context of reasonably anticipating litigation over the grant terminations.	02/21/2025; 02/18/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product

USDA 000014	USDA 000016	Re: Agency Priority Memo on Climate Grants	Gavin Kliger; Ralph Linden, Esq.; Brian Mizoguchi, Esq.; Michael Cole; James Burnham, Esq.	Predecisional and deliberative email discussions between USDA OGC attorneys, DOGE Attorney, and USDA for the purposes of providing legal advice to the Agency on a working draft of the Secretary's memorandum and directives for terminating grants. Prepared in the context of reasonably anticipating litigation over the grant terminations.	02/28/2025; 02/27/2025; 02/21/2025; 02/20/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA000017	USDA000020	Secretary's Memorandum, Directive on Conservation and Natural Resources Priorities	No name on the document, but it is referenced by Ralph Linden, Esq. and Jame Burnham, Esq. in email exchanges.	Predecisional and deliberative draft memorandum shared between USDA OGC Attorney and DOGE attorney and the Agency for purposes of providing legal advice to the Agency on the draft memorandum and terminating grants. Prepared in the context of reasonably anticipating litigation over the grant terminations.	02/XX/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000021	USDA 000027	RE: Grant Cancellation	James Burnham, Esq.; Ralph Linden, Esq.	Predecisional and deliberative email discussions between DOGE Attorney and USDA attorney for the purposes of providing legal advice on legal determinations and drafts of termination letter and Secretary's Memo. Prepared in the context of reasonably anticipating litigation over the grant terminations.	2/20/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000028	USDA 000030	Re: Agency Priority Memo on Climate Grants	James Burnham, Esq.; Ralph Linden, Esq.; Brian Mizoguchi, Esq.; Gavin Kliger; Michael Cole	Predecisional and deliberative email discussions between USDA OGC attorneys, DOGE Attorney, and USDA for the purposes of providing legal advice to the Agency on a working draft of the Secretary's memorandum and directives for terminating grants. Prepared in the context of reasonably anticipating litigation over the grant terminations.	2/27/2025; 2/21/2025; 2/20/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000031	USDA 000037	FW: Privileged and Deliberative - Draft Termination Documents	Ralph Linden, Esq.; James Burnham, Esq.; Joshua Fox; Austin Raynor; Michael Cole; Gaving Kliger; Brian Mizoguchi, Esq.; Kailee Buller	Predecisional and deliberative email discussions between and attachments between USDA OGC attorneys, USDA, and DOGE Attorney for purposes of providing legal advice to the Agency on draft grant termination documents and appeals. Prepared in the context of reasonably anticipating litigation over the grant terminations.	2/19/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000038	USDA 000040	Grant cancellations in process	Michael Cole; James Burnham, Esq.; Ralph Linden, Esq.; Lynn Moaney; Kailee Buller	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and DOGE Attorney for the purposes of providing legal advice on the process of terminating grants, appeals process, and statutory requirements. Prepared in the context of reasonably anticipating litigation over the grant terminations.	02/21/2025; 02/18/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product

USDA 000041	USDA 000042	Re: Court orders re: funding pause	Ralph Linden, Esq.; James Burnham, Esq.; Brian Mizoguchi, Esq.; Joseph Borson, Esq.; Brigham Bowen, Esq.; Steven Brammer, Esq.; Carrie Ricci, Esq.; Daniel Schwei, Esq.	Predecisional and deliberative emails discussions between USDA OGC attorneys, DOGE Attorney, and DOJ for purposes of providing legal advice to the Agency on a court order enjoining USDA on funding pauses. Prepared in the reasonable anticipation of litigation over the terminations.	2/27/2025	Attorney Work Product
USDA 000043	USDA 000045	Re: Agency Priority Memo on Climate Grants	James Burnham, Esq.; Ralph Linden, Esq.; Brian Mizoguchi, Esq.; Gavin Kliger; Michael Cole	Predecisional and deliberative emails discussions between USDA OGC attorneys, DOGE Attorney, and USDA for the purposes of providing legal advice to the Agency on a working draft of the Secretary's memorandum and directives for terminating grants. Prepared in the reasonable anticipation of litigation over the terminations.	2/27/2025; 2/21/2025; 2/20/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000046	USDA000047	Secretary's Memorandum, Directive on Conservation and Natural Resources Priorities	No name on the document, but it is referenced by Ralph Linden, Esq. and Jame Burnham, Esq. in email exchanges.	Predecisional and deliberative draft memorandum shared between USDA OGC Attorney and DOGE attorney and the Agency for purposes of providing legal advice to the Agency on the draft memorandum and terminating grants. Prepared in the reasonable anticipation of litigation over the terminations.	02/XX/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000048	USDA 000049	Grant Termination	Ralph Linden, Esq.; James Burnham, Esq.; Joshua Fox; Austin Raynor, Esq.	Predecisional and deliberative email discussions between USDA OGC attorney and DOGE Attorneys for purposes of providing legal advice to the Agency on the process for terminating grants and resulting appeals process. Prepared in the reasonable anticipation of litigation over the terminations.	02/19/2025; 02/18/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000050	USDA 000051	Re: Connecting	Ralph Linden, Esq.; James Burnham, Esq.	Predecisional and deliberative email discussions between USDA OGC attorney and DOGE Attorney for the purposes of preparing legal advice to the Agency on the process for terminating grants and appeals process. Prepared in the reasonable anticipation of litigation over the terminations.	2/17/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000052	USDA 000053	Re: Grant cancellations in process	Michael Cole; James Burnham, Esq.; Ralph Linden, Esq.; Lynn Moaney; Kailee Buller	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and DOGE Attorney for the purposes of providing legal advice on the process of terminating grants, appeals process, and statutory requirements. Prepared in the reasonable anticipation of litigation over the terminations.	02/21/2025; 02/18/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product

USDA 000054	USDA 000056	Re: Grant Cancellation	James Burnham, Esq.; Ralph Linden, Esq.	Predecisional and deliberative email discussions between DOGE Attorney and USDA attorney for the purposes of providing legal advice to the Agency on legal determinations and drafts of termination letter and Secretary's Memo. Prepared in the reasonable anticipation of litigation over the terminations.	2/20/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000057	USDA 000057	Grant termination	Ralph Linden, Esq.; James Burnham, Esq.	Predecisional and deliberative email discussions between USDA OGC attorney and DOGE Attorney for purposes of providing legal advice to the Agency on the process for terminating grants and the appeals process. Prepared in the reasonable anticipation of litigation over the terminations.	2/19/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000058	USDA 000059	Re: Grant Cancellation	James Burnham, Esq.; Ralph Linden, Esq.	Predecisional and deliberative email discussions between DOGE Attorney and USDA attorney for the purposes of providing legal advice to the Agency on legal determinations and drafts of termination letter and Secretary's Memo. Prepared in the reasonable anticipation of litigation over the terminations.	2/20/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000060	USDA 000061	Re: Grant Termination	Ralph Linden, Esq.; James Burnham, Esq.; Joshua Fox; Austin Raynor	Predecisional and deliberative email discussions between USDA OGC attorneys and DOGE Attorneys for the purposes of providing legal advice to the Agency about terminating grants and the appeals process, all in the context of reasonably anticipating litigation over the terminations.	02/19/2025; 02/18/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000062	USDA 000064	Re: Agency Priority Memo on Climate Grants	James Burnham, Esq.; Ralph Linden, Esq.; Brian Mizoguchi, Esq.; Gavin Kliger; Michael Cole	Predecisional and deliberative email discussions between USDA OGC attorneys, DOGE Attorney, and USDA for the purposes of providing legal advice to the Agency on a working draft of the Secretary's memorandum and directives for terminating grants. Prepared in the reasonable anticipation of litigation over the terminations.	2/27/2025; 2/21/2025; 2/20/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000065	USDA 000066	Re: Agency Priority Memo on Climate Grants	James Burnham, Esq.; Ralph Linden, Esq.; Brian Mizoguchi, Esq.; Gavin Kliger; Michael Cole	Predecisional and deliberative email discussions between USDA OGC attorneys, DOGE Attorney, and USDA for the purposes of providing legal advice to the Agency on a working draft of the Secretary's memorandum and directives for terminating grants. Prepared in the reasonable anticipation of litigation over the terminations.	2/27/2025; 2/21/2025; 2/20/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product

USDA 000067	USDA 000068	Re: Grant cancellations in process	Michael Cole; James Burnham, Esq.; Ralph Linden, Esq.; Lynn Moaney; Kailee Buller	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and DOGE Attorney for the purposes of providing legal advice to the Agency on the process of terminating grants, appeals process, and statutory requirements, all in the context of reasonably anticipating litigation over the terminations.	2/18/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000069	USDA 000069	Connecting	Ralph Linden, Esq.; James Burnham, Esq.	Predecisional and deliberative email discussions between USDA OGC attorney and DOGE Attorney setting up time to connect on cost-cutting and other initiatives. This meeting was set up for the purposes of providing legal advice to the agency on terminating grants and was conducted in the context of reasonably anticipating litigation.	2/17/2025	Released upon further review and analyses.
USDA 000070	USDA 000074	Re: Grant cancellations in process	Michael Cole; James Burnham, Esq.; Ralph Linden, Esq.; Lynn Moaney; Kailee Buller	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and DOGE Attorney for the purposes of providing legal advice to the Agency on the process of terminating grants, appeals process, and statutory requirements, all in the context of reasonably anticipating litigation over the terminations.	02/18/2025; 02/21/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000075	USDA 000076	Re: Grant Termination	Ralph Linden, Esq.; James Burnham, Esq.; Joshua Fox; Austin Raynor, Esq.	Predecisional and deliberative email discussions between USDA OGC attorneys and DOGE Attorneys for the purposes of providing legal advice to the Agency about terminating grants and the appeals process, all in the context of reasonably anticipating litigation over the terminations.	02/19/2025; 02/18/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000077	USDA 000078	Re: Grant cancellations in process	Michael Cole; James Burnham, Esq.; Ralph Linden, Esq.; Lynn Moaney; Kailee Buller	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and DOGE Attorney for the purposes of providing legal advice to the Agency on the process of terminating grants, appeals process, and statutory requirements, all in the context of reasonably anticipating litigation over the terminations.	2/18/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000079	USDA 000080	Court orders re: funding pause	Ralph Linden, Esq.; James Burnham, Esq.; Brian Mizoguchi, Esq.; Joseph Borson, Esq.; Brigham Bowen, Esq.; Steven Brammer, Esq.; Carrie Ricci, Esq.; Daniel Schwei, Esq.	Predecisional and deliberative email discussions between USDA OGC attorneys, DOGE Attorney, and DOJ for purposes of providing legal advice to the Agency on a court order enjoining USDA on funding pauses, all in the context of reasonably anticipating litigation over the terminations.	2/27/2025	Attorney Work Product

USDA 000081	USDA 000083	Agency Priority Memo on Climate Grants	James Burnham, Esq.; Ralph Linden, Esq.; Brian Mizoguchi, Esq.; Gavin Kliger; Michael Cole	Predecisional and deliberative email discussions between USDA OGC attorneys, DOGE Attorney, and USDA for the purposes of providing legal advice to the Agency on a working draft of the Secretary's memorandum and directives for terminating grants, all in the context of reasonable anticipation of litigation over the terminations.	2/27/2025; 2/21/2025; 2/20/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA000084	USDA 000087	Secretary's Memorandum, Directive on Conservation and Natural Resources Priorities	No names on the documents, but it is referenced by Ralph Linden, Esq. and Jame Burnham, Esq. in email exchanges.	Predecisional deliberative draft memorandum shared between USDA OGC Attorney and DOGE attorney and the Agency for purposes of providing legal advice to the Agency on the draft memorandum and terminating grants, all in the context of reasonably anticipating litigation over the terminations.	02/XX/2025	Deliberative Process Privilege; Attorney Work Product
USDA 000088	USDA 000090	Re: Grant cancellations in process	Michael Cole; James Burnham, Esq.; Ralph Linden, Esq.; Lynn Moaney; Kailee Buller	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and DOGE Attorney for the purposes of providing legal advice to the Agency on the process of terminating grants, appeals process, and statutory requirements, all in the context of reasonably anticipating litigation over the terminations.	02/21/2025; 02/18/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000091	USDA 000094	Re: Grant cancellations in process	Michael Cole; James Burnham, Esq.; Ralph Linden, Esq.; Lynn Moaney; Kailee Buller	Predecisional and deliberative email discussions between USDA OGC attorney, USDA, and DOGE Attorney for the purposes of providing legal advice to the Agency on the process of terminating grants, appeals process, and statutory requirements, all in the context of reasonably anticipating litigation over the terminations.	02/18/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA 000095	USDA 000097	Re: Agency Priority Memo on Climate Grants	James Burnham, Esq.; Ralph Linden, Esq.; Brian Mizoguchi, Esq.; Gavin Kliger; Michael Cole; Jeremy Lichtman; moghaddassi.aram.m@dol.gov	Predecisional and deliberative email discussions between USDA OGC attorneys, DOGE Attorney, and USDA for the purposes of providing legal advice to the Agency on a working draft of the Secretary's memorandum and directives for terminating grants, all in the context of reasonable anticipation of litigation over the terminations.	2/28/2025; 02/27/2025; 02/21/2025; 02/20/2025	Deliberative Process Privilege; Attorney Client Privilege; Attorney Work Product
USDA000098	USDA000101	Secretary's Memorandum, Directive on Conservation and Natural Resources Priorities	No names on the documents, but it is referenced by Ralph Linden, Esq. and Jame Burnham, Esq. in email exchanges.	Predecisional deliberative draft memorandum shared between USDA OGC Attorney and DOGE attorney and the Agency for purposes of providing legal advice to the Agency on the draft memorandum and terminating grants, all in the context of reasonably anticipating litigation over the terminations.	02/XX/2025	Deliberative Process Privilege; Attorney Work Product